

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 16, 2002

DIVISION ONE

B156982 FSR Brokerage Inc., et al. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (Michael Chernuchin et al., r.p.i.)

The petition is granted, and a peremptory writ shall issue commanding the trial court (1) to vacate its order of February 27, 2002, insofar as that order denies FSR's motion to compel inspection and testing of the Ocean Avenue property, (2) to enter a new order granting FSR's motion to inspect and test, (3) to schedule the inspection for a time mutually convenient for FSR's expert and Plaintiffs, and (4) to set a new trial date. Our stay order, dated March 15, 2002, is vacated. FSR is awarded its costs of these writ proceedings.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Mallano, J.

DIVISION TWO

B147830 People (Not for Publication)
 v.
 Martinez

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

DIVISION TWO (Continued)

B149952 Los Angeles County, D.C.S.
 v.
 Laura A.,

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed May 7, 2001) dismissed.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B153434 Children & Family Services v. John M., et al.
B151641 People v. Acosta
B149109 People v. Agler
B150302 People v. Sherman
B149782 People v. Garcia
B152370 People v. Chance W.
B146632 People v. Braswell
B149788 People v. Hernandez
B152429 People v. Ochoa
B146861 People v. Dixon

Argument waived, cause submitted.

B149197 People
 v.
 Jovel

Merits:

Argued by Jerald W. Newton for appellant and by Jeffrey A. Hoskinson, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B150708 Bolivar
 v.
 Sartin Construction Trucking Corporation et al.

Merits:
Argued by Richard L. Garrigues for appellant and by Michael Thomas for respondents. Cause submitted.

B150849 Roman
 v.
 The Queen Mary et al.

Merits:
Argued by John Allen Furutani for appellants and by Anne E. Moss for respondent. Cause submitted.

B154615 Watson Partners et al.
 v.
 Southern California Gas Company et al.

Merits:
Argued by Lawrence Teplin for appellants and by Randall R. Morrow for respondents. Cause submitted.

B149179 Laraway
 v.
 Pasadena Unified School District

Merits:
Argued by Michael L. Allan for appellant and by Barbara Hamilton for respondent. Cause submitted.

DIVISION THREE (Continued)

B146519 United Design Associates, Inc., et al.
 v.
 Jem Enterprises, et al.

Merits:
Argued by Edward M. Burgh for appellants and by Scott M. Pearson for respondents. Cause submitted.

B146155 Cortese et al.
B149687 v.
 The J. Paul Getty Trust

Merits:
Argued by Robert D. Crockett for appellant and by John B. Murdock for respondents. Cause submitted.

Court recessed at 12:20 P.M.

Court reconvened at 1:35 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B149550 People
 v.
 Burns

Merits:
Argued by Martin Kassman for appellant and by Zee Rodriguez, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B150116 Cederlind, et al.
v.
Whites Canyon Homeowners Association, Inc., et al.

Merits:
Argued by Frank W. Nemecek for appellants and by Nancy P. Doumanian for respondents. Cause submitted.

B150933 People
v.
Northrup

Merits:
Argued by Vanessa Place for appellant and by Jeffrey Hoskinson, deputy attorney general, for respondent. Cause submitted.

B151494 Stark
v.
BHS-Behavioral Health, et al.

Merits:
Argued by James D. Norris for appellant and by Mark Schreiber for respondents. Cause submitted.

B148049 Manhattan Holding Company
v.
Schweiger, et al.

Merits:
Argued by Michael Strumwasser for appellant and cross respondent, by David M. Cohen for respondent and cross appellant and by George W. Coleman for respondent and cross appellant. Cause submitted.

Court adjourned at 3:35 p.m.

DIVISION FOUR

B149120 People v. Boateng (Not for Publication)
B152691 In re Kwame Boateng on Habeas Corpus

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

B152430 People (Not for Publication)
v.
Davis

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B149783 People v. Parker (Not for Publication)

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

April 16, 2002-Continued

DIVISION FOUR (Continued)

B153425 People (Not for Publication)
v.
Jeffrey S.
In re Jeffrey S., A Person Coming Under the Juvenile Court Law:

This appeal is dismissed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION SIX

B150430 People (Not for Publication)
v.
Robledo and Medrano

The judgments are affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B151904 People (Not for Publication)
v.
Davis

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B146902 Arvin Parekh (Not for Publication)
 v.
 City of Downey

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, J.

We concur: Lillie, P.J.
 Woods, J.

B156150 Maximiano F. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (D.C.F.S., r.p.i.)

The petition is dismissed.

Perluss, J.

We concur: Lillie, P.J.
 Woods, J.

B151885 Los Angeles County, D.C.F.S. (Certified for Publication)
 v.
 Heriberto C.
 In re Jesusa V.

The order determining Paul B. the presumed father of Jesusa V. is affirmed.
The order determining Jesusa V. to be a dependent of the court is reversed
and the cause remanded to the trial court for further proceedings in
accordance with the views expressed in this opinion.

Johnson, J.

We concur: Lillie, P.J.
 Woods, J.

DIVISION SEVEN (Continued)

B147968 Gail and Vincent O., (Not for Publication)
 v.
 Tina Y.
 In re Tiarria Y.

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
 Perluss, J.

B150081 People (Not for Publication)
 v.
 Algimantas Endrekus

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Perluss, J.

B148738 People (Not for Publication)
 v.
 Lewis Mario Diaz

The order imposing a one-year term for the Penal Code section 137, subdivision (b), offense of intimidating a witness is reversed. The cause is remanded for the court to impose a full consecutive term of imprisonment for that offense. Upon remand, the court has discretion to vacate the entire sentence and restructure the aggregate term of imprisonment. In all other respects, judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

DIVISION SEVEN (Continued)

B149056 People (Not for Publication)
v.
Mark L. Getty

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Perluss, J.

B155361 Abel G. and Marcela S. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition is denied.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B143771 People
v.
Seel

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B147471 Wang
v.
Massey Chevrolet

Filed order certifying opinion for publication.

DIVISION SEVEN (Continued)

B157401 Howard (Not for Publication)

V.

Superior Court, Los Angeles County
(People, r.p.i.)

The Court:

Let a peremptory writ of mandate issue directing the superior court to vacate its order of March 21, 2002 denying petitioner's motion for additional fees for expert services, and thereafter enter a new and different order granting said motion. The stay of trial issued March 27, 2002 shall expire upon finality of this opinion as to this court. Good cause appearing, this opinion shall become final five days after the date hereof. (Cal. Rules of Court, rule 24(d).)

Johnson, Acting P.J., Perluss, J., Munoz, J. (Assigned)

DIVISION EIGHT

B149959 People (Not for Publication)

V.

Mayorga

The clerk of the superior court is directed to prepare an amended abstract of judgment reflecting the following modifications, and forward it to the Department of Corrections: (1) a sentence of two years for the violations of section 245, subdivision (b) as charged in counts 2 and 3; (2) striking the section 12022.5 enhancements found true on the lesser included charge of assault with a firearm (§ 245, subd. (a)) on counts 2 and 3, which charge was stricken; and (3) an award of 345 days of presentence custody credit. As so amended, the judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

DIVISION EIGHT (Continued)

B150640 Elpidio and Bertha Madera (Not for Publication)
 v.
 City Of Long Beach et al.

The order appealed from is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

B139962 Squire (Not for Publication)
 v.
 Goodrum et al.

The judgment is affirmed. Respondent shall recover his costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

B150139 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Delvona M.

The order appealed from is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

B148210 People
 v.
 Hidalgo

Filed order denying petition for rehearing.